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08 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

09 UNITED STATES OF AMERICA,) Case No.: CR00-00048-MJP
10)
11 Plaintiff,)
12 v.) SUMMARY REPORT OF U.S.
13 ANDREW BAILEY HIGGINS,) MAGISTRATE JUDGE AS TO
14 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

15 An initial hearing on supervised release revocation in this case was scheduled before the
16 undersigned Magistrate Judge on June 22, 2005. The United States was represented by Assistant
17 United States Attorney Floyd Short, and the defendant by Ms. Juanita Holmes for Ms. Jacqueline
18 Walsh. The proceedings were recorded on cassette tape.

19 Defendant had been sentenced on or about May 1, 2000, by the Hon. Marsha J. Pechman
20 on a charge of bank fraud, and sentenced to one month in custody, followed by five years of
21 supervised released.

22 The conditions of supervised release included requirements that defendant comply with
23 all local, state, and federal laws, and with the standard conditions of supervision. Other special
24 conditions included participating in a substance-abuse-treatment program, search and seizure,
25 financial disclosure, no new credit, no firearms, and restitution.
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01 In an application dated May 12, 2005, U.S. Probation Officer Brieanne Olson alleged the
02 following violations of defendant's conditions of supervised release:

03 1. Failing to submit a truthful and complete written report within the first five days
04 of each month since June of 2004, in violation of his standard condition No. 2; and

05 2. Failing to make monthly restitution payments in the amount of \$150.00, in
06 violation of his general condition directing him to do so.

07 Defendant was advised in full as to those charges and as to his constitutional rights.

08 Defendant admitted to both of the alleged violations and waived any evidentiary hearing
09 as to whether they occurred.

10 I therefore recommend the Court find defendant violated his supervised release as alleged
11 and that the Court conduct a hearing limited to the issue of disposition. A disposition hearing
12 should be set before the Hon. Marsha J. Pechman on violations No. 1 and No. 2.

13 Pending a final determination by the Court, defendant has been released, subject to
14 supervision.

15 DATED this 27th day of June, 2005.

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19 JAMES P. DONOHUE
20 United States Magistrate Judge

21 cc: District Judge: The Hon. Marsha J. Pechman
22 AUSA: Mr. Floyd G. Short
23 Defendant's attorneys: Ms. Jacqueline Walsh
24 Ms. Juanita Holmes
25 Probation officer: Ms. Brieanne Olson
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